
TITLE 326 AIR POLLUTION CONTROL BOARD

Proposed Rule
LSA Document #11-586

DIGEST

Adds [326 IAC 11-10](#) concerning sewage sludge incineration units located at wastewater treatment facilities designed to treat domestic sewage sludge. Effective 30 days after filing with the Publisher.

HISTORY

Findings and Determination of the Commissioner Pursuant to [IC 13-14-9-7](#) and Second Notice of Comment Period: October 19, 2011, Indiana Register (DIN: [20111019-IR-326110586FDA](#)).

Notice of First Hearing: October 19, 2011, Indiana Register (DIN: [20111019-IR-326110586PHA](#)).

Change in Notice of Public Hearing: December 21, 2011, Indiana Register (DIN: [20111221-IR-326110586CHA](#)).

Change in Notice of Public Hearing: March 7, 2012, Indiana Register (DIN: [20120307-IR-326110586CHA](#)).

Date of First Hearing: May 2, 2012.

SUMMARY/RESPONSE TO COMMENTS FROM THE SECOND COMMENT PERIOD

IDEM requested public comment from October 19, 2011, through November 18, 2011, on IDEM's draft rule language. No comments were received during the second comment period.

SUMMARY/RESPONSE TO COMMENTS RECEIVED AT THE FIRST PUBLIC HEARING

On May 2, 2012, the Air Pollution Control Board (board) conducted the first public hearing/board meeting concerning the development of new rule [326 IAC 11-10](#). No comments were made at the first hearing.

[326 IAC 11-10](#)

SECTION 1. [326 IAC 11-10](#) IS ADDED TO READ AS FOLLOWS:

Rule 10. Sewage Sludge Incineration Units

[326 IAC 11-10-1](#) Applicability

Authority: [IC 13-14-8](#); [IC 13-17-3-4](#); [IC 13-17-3-11](#)

Affected: [IC 13-15](#); [IC 13-17](#)

Sec. 1. (a) Except as provided in subsections (b) through (d), this rule applies to each sewage sludge incineration unit as defined in 40 CFR 60.5250* for which construction was commenced on or before October 14, 2010.

(b) Sewage sludge incineration units not located at a wastewater treatment facility designed to treat domestic sewage sludge are exempt from this rule.

(c) If the owner or operator of a sewage sludge incineration unit makes changes that meet the definition of modification incorporated in section 2(a)(9) of this rule after September 21, 2011:

(1) the sewage sludge incineration unit becomes subject to 40 CFR 60, Subpart LLLL* and [326 IAC 12](#);
and

(2) this rule no longer applies to that sewage sludge incineration unit.

(d) Physical or operational changes made to a sewage sludge incineration unit for which construction commenced on or before September 21, 2011, primarily to comply with this rule:

(1) are not considered modifications or reconstructions; and

(2) do not result in a sewage sludge incineration unit becoming subject to 40 CFR 60, Subpart LLLL*.

*These documents are incorporated by reference. Copies may be obtained from the Government

Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 and are available for review and copying at the Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204.

(Air Pollution Control Board; [326 IAC 11-10-1](#))

[326 IAC 11-10-2](#) Requirements; incorporation by reference of federal standards

Authority: [IC 13-14-8](#); [IC 13-17-3-4](#); [IC 13-17-3-11](#)

Affected: [IC 13-15](#); [IC 13-17](#)

Sec. 2. (a) The air pollution control board incorporates by reference the following sections of 40 CFR 60, Subpart M, Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units:

- (1) 40 CFR 60.5085 through 40 CFR 60.5125, Increments of Progress*.
- (2) 40 CFR 60.5130 through 40 CFR 60.5160, Operator Training and Qualification*.
- (3) 40 CFR 60.5165 through 40 CFR 60.5181, Emission Limits, Emission Standards, and Operating Limits and Requirements*.
- (4) 40 CFR 60.5185 through 40 CFR 60.5200, Initial Compliance Requirements*.
- (5) 40 CFR 60.5205 through 40 CFR 60.5215, Continuous Compliance Requirements*.
- (6) 40 CFR 60.5220 through 40 CFR 60.5225, Performance Testing, Monitoring, and Calibration Requirements*.
- (7) 40 CFR 60.5230 through 40 CFR 60.5235, Recordkeeping and Reporting*.
- (8) 40 CFR 60.5240 through 40 CFR 60.5245, Title V Operating Permits*.
- (9) 40 CFR 60.5250 Definitions*.
- (10) 40 CFR 60, Subpart M, Tables 1 through 6*.

(b) For purposes of this rule, the terms used in 40 CFR 60.5085 through 40 CFR 60.5250* are defined as follows:

- (1) "Administrator" means the commissioner of the department of environmental management.
- (2) "You" means the owner or operator of an affected sewage sludge incineration unit subject to this rule.

(c) An owner or operator subject to section 1 of this rule must comply with this rule not later than one (1) year from the effective date of this rule unless the owner or operator complies with the increments of progress in 40 CFR 60.5085*.

(d) The compliance dates for the increments of progress in 40 CFR 60, Subpart M, Table 1* are as follows:

- (1) The compliance date for Increment 1—Submit Final Control Plan shall be one (1) year from the effective date of this rule.
- (2) The compliance date for Increment 2—Final Compliance shall be September 21, 2015.

* These documents are incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 and are available for review and copying at the Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204.

(Air Pollution Control Board; [326 IAC 11-10-2](#))

[Notice of Public Hearing](#)

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